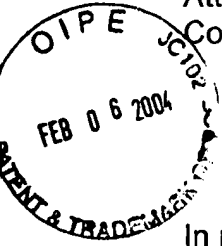


Attorney Docket No.: 003764.P180

Confirmation No.: 4544



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
FEB 10 2004
TECHNOLOGY CENTER R3700

In re Application of:

Robert Ainsworth, et al.

Application No.: 09/872,310

Filed: May 31, 2001

For: CATHETER WITH OPTICAL
FIBER SENSOR

Examiner: LIN, Jeoyuh

Art Unit: 3737

10/13 NR
2/12

**AMENDMENT UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3737**

Mail Stop: AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Sir:

In response to the Final Office Action mailed December 4, 2003, for the above-identified application, please enter the following amendments and consider the following remarks.

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

February 4, 2004

Date of Deposit

Dianne Neathery

Name of Person Mailing Correspondence

Dianne Neathery
Signature

February 4, 2004

Date

Serial No.: 09/872,310
Filing Date: 5/31/2001

1/27

Attorney Docket No.: 3764.P180
Resp. to FOA Dated: 12/04/2003

C
FEB 06 2004
PATENT & TRADEMARK OFFICE
JCTO

AF/3739

TRANSMITTAL LETTER

PATENT

Application No.: 09/872,310

Filing Date: May 31, 2001

First Named Inventor: Robert Ainsworth

Examiner's Name: LIN, Jeoyuh

Art Unit: 3737

Attorney Docket No.: 3764.P180

Corres. and Mail
BOX AF

- ☒ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- _____ Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS


- _____ Preliminary Amendment
- _____ Amendment/Response with respect to Office Action
- ☒ Amendment/Response After Final Action (37 CFR 1.116)
- _____ Notice of Appeal
- _____ RCE (Request for Continued Examination)
- _____ Supplemental Declaration
- _____ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- _____ Information Disclosure Statement (IDS)
- _____ Copies of IDS citations
- _____ Petition for Extension of Time
- ☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- _____ Cross-Reference to Related Application(s)
- _____ Certified Copy of Priority Document
- _____ Other: _____
- _____ Other: _____
- _____ Check(s)
- ☒ Postcard (Return Receipt) (2)

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TECHNOLOGY CENTER R3700

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Suk S. Lee

SIGNATURE: 

REG. NO.: 47,745

DATE: February 4, 2004

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor

Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

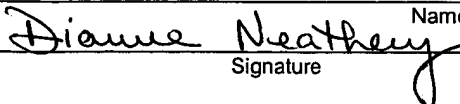
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on February 4, 2004

Date of Deposit

Dianne Neathery

Name of Person Mailing Correspondence


Signature

February 4, 2004

Date

Express Mail Label No. (if applicable): N/A

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

(10/14/03)



FEE CALCULATION (continued)**3. ADDITIONAL FEES**


| <u>Larg Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | <u>Fee Paid</u> |
|--------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Code</u> | <u>Fee (\$)</u> | <u>Code</u> | <u>Fee (\$)</u> | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | _____ |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | _____ |
| 1053 | 130 | 1053 | 130 | Non-English specification | _____ |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | _____ |
| 1813 | 8,800 | 1813 | 8,800 | Request for inter parties reexamination | _____ |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | _____ |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | _____ |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | _____ |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | _____ |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | _____ |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | _____ |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | _____ |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | _____ |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | _____ |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | _____ |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | _____ |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | _____ |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | _____ |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | _____ |
| 1502 | 480 | 2502 | 240 | Design issue fee | _____ |
| 1503 | 640 | 2503 | 320 | Plant issue fee | _____ |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | _____ |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | _____ |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | _____ |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | _____ |
| 1809 | 770 | 2809 | 385 | For filing a submission after final rejection (see 37 CFR 1.129(a)) | _____ |
| 1814 | 110 | 2814 | 55 | Statutory Disclaimer | _____ |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (see 37 CFR 1.129(b)) | _____ |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | _____ |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | _____ |
| 1504 | 300 | 1504 | 300 | Publication fee for early, voluntary, or normal pub. | _____ |
| 1505 | 300 | 1505 | 300 | Publication fee for republication | _____ |
| 1803 | 130 | 1803 | 130 | Request for voluntary publication or republication | _____ |
| 1808 | 130 | 1808 | 130 | Processing fee under 37 CFR 1.17(i) (except provisionals) | _____ |
| 1454 | 1,330 | 1454 | 1,330 | Acceptance of unintentionally delayed claim for priority | _____ |

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Suk S. LeeSignature:  Date: February 4, 2004Reg. Number: 47,745 Telephone Number: (408) 720-8300

Send to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450